

2006

Sixth Review Conference of the States Parties to the Biological Weapons Convention

November 2006
Geneva, Switzerland

BWC Sixth Review Conference

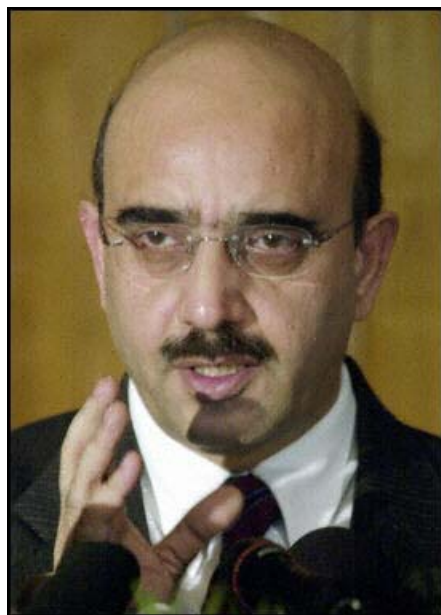
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BWC Sixth Review Conference

November 2006, Geneva Switzerland



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The Biological Weapons Convention Meetings Secretariat in the United Nations Department for Disarmament Affairs has created this document as a convenient quick-reference guide only. For the authoritative version of the Convention and the additional texts please see the relevant official documents.

The text of the Convention can be found in United Nations General Assembly Resolution 2826 of 1971, available online at: <http://disarmament2.un.org/wmd/bwc/index.html>

Additional understandings from the First Review Conference can be found in the Final Declaration of that meeting (BWC/CONF.I/10 Part II), available online at: <http://disarmament2.un.org/wmd/bwc/1st-final.pdf>

Additional understandings from the Second Review Conference can be found in the Final Declaration of that meeting (BWC/CONF.II/13 Part II), available online at: <http://disarmament2.un.org/wmd/bwc/2nd-final.pdf>

Additional understandings from the Third Review Conference can be found in the Final Declaration of that meeting (BWC/CONF.III/23 Part II), available online at: <http://disarmament2.un.org/wmd/bwc/3rd-final.pdf>

Additional understandings from the Fourth Review Conference can be found in the Final Declaration of that meeting (BWC/CONF.IV/9 Part II), available online at: <http://disarmament2.un.org/wmd/bwc/4thfinal.pdf>

The Final Document of the Fifth Review Conference did not include a Final Declaration.

The Report of the 2003 Meeting of States Parties (BWC/MSP/2003/4) is available online at: <http://www.unog.ch/bwc/>

The Report of the 2004 Meeting of States Parties (BWC/MSP/2004/3) is available online at: <http://www.unog.ch/bwc/>

The Report of the 2005 Meeting of States Parties (BWC/MSP/2005/3) is available online at: <http://www.unog.ch/bwc/>

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THE BIOLOGICAL WEAPONS CONVENTION

THE CONVENTION

As a result of prolonged efforts by the international community to establish a new instrument that would supplement the 1925 Geneva Protocol, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, better known as the Biological Weapons Convention (BWC), opened for signature on 10 April 1972. The BWC, the first multilateral disarmament treaty banning the production and use of an entire category of weapons, entered into force on 26 March 1975. Over the intervening years, increasing numbers of States joined the Convention, which currently has 155 States Parties and 16 Signatory States. The BWC effectively prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons and is a key element in the international community's efforts to address the proliferation of weapons of mass destruction.

States Parties to the BWC have strived to ensure that the Convention remains relevant and effective, despite the changes in science and technology, politics and security since it entered into force. Throughout the intervening thirty years, States Parties have met at five yearly intervals to review the operation of the BWC. The Sixth Review Conference is to be held in November 2006. Between these review conferences States Parties have pursued various activities and initiatives to strengthen the effectiveness and improve the implementation of the Convention.

THE REVIEW CONFERENCE PROCESS

Article XII of the BWC stated that a conference was to take place within five years of entry into force of the Convention to review its operation, relevant scientific and technological developments, as well as progress towards the negotiation of a convention to prohibit the development, production, stockpiling and use of chemical weapons. This First Review Conference took place in Geneva from 3 to 21 March 1980. It decided that a Second Review Conference would take place about five years later, as well as

concluding that texts of national implementation measures should be provided to the United Nations.

The Second Review Conference took place in Geneva from 8 to 26 September 1986. The Final Document of the conference asserted that the provisions of the BWC cover all relevant current and future scientific and technological developments as well as applying to all international, national and non-State actors, thereby bringing the issue of bioterrorism within the scope of the Convention. It also permitted the World Health Organization to coordinate emergency response measures in cases of the alleged use of biological and toxin weapons. The Second Review Conference laid down procedure for resolving doubts about compliance, known as the Formal Consultative Process, and established an annual exchange of information, known as Confidence-Building Measures (CBMs). The CBMs were intended to reduce the occurrence of ambiguities, doubts and suspicions, and improve international cooperation in the field of peaceful biological activities. An Ad Hoc Meeting of Scientific and Technical Experts was held (31st March to 15th April 1987) to establish the precise format of the CBMs.

The Third Review Conference, held in Geneva from 9 to 27 September 1991, asserted that the BWC covers agents relating to humans, animals and plants; requested States Parties to re-examine their national implementation measures; revised the format for Formal Consultative Meetings; revised the CBMs; indirectly encouraged the United Nations Secretary-General to conduct investigations into allegations of the use of biological and toxin weapons; expanded upon the coordinating role of intergovernmental organizations in the response to such occurrences; asserted that information on the implementation of Article X on peaceful uses of the biological sciences should also be provided to the United Nations; and established an Ad Hoc Group of Governmental Experts to identify and examine potential verification measures from a scientific and technical standpoint (VEREX).

The Fourth Review Conference, held in Geneva from 25 November to 6 December 1996, established that the BWC effectively covers the *use* of biological and toxin weapons, as well as asserting that all destruction and conversion activities of former weapons and associated facilities should take place prior to accession to the Convention. It recommended a series of specific measures to enhance the implementation of Article X.

The Fifth Review Conference opened in Geneva on 19 November 2001, but because of divergent positions on the Ad Hoc Group (see next section), it was suspended on 7 December 2001. A resumed session was held in Geneva from 11 to 22 November 2002, which decided that a series of annual Meetings of Experts and Meetings of States Parties would be held to discuss, and promote common understanding and effective action on a range of topics to strengthen the Convention.

The Sixth Review Conference is due to be held in Geneva in November 2006. The Conference will review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized. This review will take into account any new scientific and technological developments relevant to the Convention. It will also consider the work of the Meetings of Experts and Meetings of States Parties held between 2003 and 2005 and decide upon any further action on the topics discussed.

EFFORTS TO STRENGTHEN THE CONVENTION

As early as the Second Review Conference in 1986 States Parties realised that enhanced transparency and information sharing would help reduce the occurrence of ambiguities, doubts and suspicions, in order to improve international co-operation in the field of peaceful biological activities. This prompted them to develop annual Confidence-Building Measures. The format and content of the information to be exchanged has been revised and updated over the years and there are currently seven CBMs which cover: research centres and laboratories, and national biological defence research and development programmes; outbreaks of infectious diseases and similar occurrences caused by toxins; the encouragement of publication of results and promotion of use of knowledge; active promotion of contacts; legislation, regulations and other measures; past activities in offensive and/or defensive biological research and development programmes; and vaccine production facilities.

The first CBM returns were collated by the United Nations Department for Disarmament Affairs in 1987 and have been compiled every year since. A total of 91 States have submitted CBMs at least once. Only 5

States have submitted a CBM every year since 1987. 26 States submitted CBMs every year between the Fourth and Fifth Review Conferences, whilst 26 States have submitted CBMs every year since the Fifth Review Conference. Submission of CBMs peaked in the mid-1990s but seems to be going through something of a resurgence. CBMs, however, were not the only mechanism to be examined by States Parties to strengthen the Convention.

A group of governmental experts (VEREX) was established at the Third Review Conference to identify and examine potential verification measures from a scientific and technical standpoint. The Final Report of VEREX concluded that there were some potential verification measures which would contribute to strengthening the effectiveness and improve the implementation of the Convention. At a Special Conference (September 1994) States Parties, on the basis of the VEREX findings, agreed to establish the Ad Hoc Group of the States Parties to the BWC in order to negotiate and develop a legally-binding verification regime for the Convention. To this end, the Ad Hoc Group was mandated to consider four specific areas, namely: definitions of terms and objective criteria; incorporation of existing and further enhanced confidence-building and transparency measures, as appropriate, into the regime; a system of measures to promote compliance with the Convention; and specific measures designed to ensure the effective and full implementation of Article X on international cooperation and exchange in the field of peaceful bacteriological (biological) activities. The Ad Hoc Group was destined to hold 24 working sessions over the next seven years.

The work of the Ad Hoc Group was discussed at the Fourth Review Conference in 1996 and the progress made thus far was welcomed. It was also decided that the Ad Hoc Group should conclude its work on the future protocol, at the latest, by the Fifth Review Conference to be held in 2001. On 23 September 1998, an Informal Ministerial Meeting of the States Parties to the BWC was held in New York at the initiative of Australia in order to demonstrate high-level political support for the negotiations.

At its 24th session (23 July –17 August 2001), which was the last scheduled session before the Fifth Review Conference, the Ad Hoc Group was unable to conclude the negotiations on the draft protocol and could not reach consensus on the report of its work.

The Fifth Review Conference saw a change in direction of efforts to strengthen the Convention. States Parties adopted a Final Report that included a decision to hold annual meetings of States Parties and experts meetings in the years leading up to the Sixth Review Conference in 2006.

The first Meeting of States Parties, held in Geneva from 10 to 14 November 2003, was chaired by Ambassador Tibor Toth of Hungary. It developed the

work begun at the Meeting of Experts, held from 18 to 29 August 2003, on two topics: (1) the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation; and (2) national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins.

At this meeting, States Parties stressed the need for undertaking national activities to strengthen and implement the Convention, including reviewing national regulatory and penal measures to ensure effective implementation of its prohibitions as well as those which enhance the security of pathogens and toxins. States Parties also noted the positive effect of cooperation between States Parties with differing legal and constitutional arrangements. The need for comprehensive and concrete national measures to secure pathogen collections and the control of their use for peaceful purposes was also acknowledged. There was a general recognition of the value of biosecurity measures and procedures, to ensure that such dangerous materials are not accessible to persons who might use them for purposes contrary to the Convention.

The second Meeting of States Parties was held in Geneva from 6 to 10 December 2004 and was chaired by Peter Goosen of South Africa. It developed the work begun at the Meeting of Experts, held from 19 to 30 July 2004, on two topics: (1) strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants; and (2) enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease.

On the first topic, the States Parties recognised that infectious disease outbreaks can be contained and suppressed through early detection, immediate response and co-operation and support at the national and international level; that strengthening and broadening national and international surveillance, detection, diagnosis and combating of infectious disease may support the object and purpose of the Convention; that the primary responsibility for surveillance, detection, diagnosis and combating of infectious diseases rests with States Parties, while intergovernmental organizations have global responsibilities, within their mandates, in this regard, and that the respective structures, planning and activities of States Parties and intergovernmental organizations should be co-ordinated with and complement one another; and that scientific and technological developments have the potential to significantly improve disease surveillance and response.

The States Parties consequently agreed on the value of: supporting the existing networks of relevant international organisations for the surveillance, detection, diagnosis and combating of infectious diseases and acting to strengthen intergovernmental organizations programmes, within their mandates, for the continued development and strengthening of, and research into, rapid, effective and reliable activities for the surveillance, detection, diagnosis and combating of infectious diseases, including in cases of emergencies of international concern; of improving, wherever possible, national and regional disease surveillance capabilities, and, if in a position to do so, assisting and encouraging, with the necessary agreement, other States Parties to do the same; and of working to improve communication on disease surveillance, including with intergovernmental organizations, and among States Parties.

On the second topic, the States Parties recognised that capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease promote the object and purpose of the Convention; that States Parties' national preparedness and arrangements substantially contribute to international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease; and that the United Nations Secretary-General's investigation mechanism, set out in A/44/561 and endorsed by the General Assembly in its resolution A/Res/45/57, represents an international institutional mechanism for investigating cases of alleged use of biological or toxin weapons.

The States Parties consequently agreed on the value of: continuing to develop their own national capacities for response, investigation and mitigation, in cooperation with the relevant international and regional organisations, and, if in a position to do so, assisting and encouraging, with the necessary agreement, other States Parties to do the same; and of the Sixth Review Conference considering, *inter alia*, the further development of current procedures for the provision of assistance, by those in a position to do so, to States Parties in cases of alleged use of biological weapons or suspicious outbreaks of disease

Moreover, the Meeting encouraged States Parties to the inform the forthcoming Sixth Review Conference (due to be held in 2006) of, *inter alia*, any actions, measures or other steps that they may have taken on the basis of the discussions at the 2004 Meeting of Experts and of the outcome of the 2004 Meeting of States Parties.

Ambassador John Freeman of the United Kingdom chaired the third Meeting of States Parties, held in Geneva from 5 to 9 December 2005. It developed the work begun at the Meeting of Experts, held from 13 to 24 June 2005, on the topic of the content,

promulgation and adoption of codes of conduct for scientists.

States Parties recognised that codes of conduct can support the BWC in combating present and future threats posed by biological and toxin weapons. States Parties noted that a range of different approaches exist to develop codes of conduct in view of differences in national requirements and circumstances, and that whenever possible, existing mechanisms and frameworks should be used. It was understood that codes should avoid impeding scientific discovery, or placing undue constraints on research or international cooperation and exchange for peaceful purposes. Codes were considered to be most effective if they, and their underlying principles, are widely known and understood. It was recognized that all those with a responsibility for, or legitimate interest in, codes of

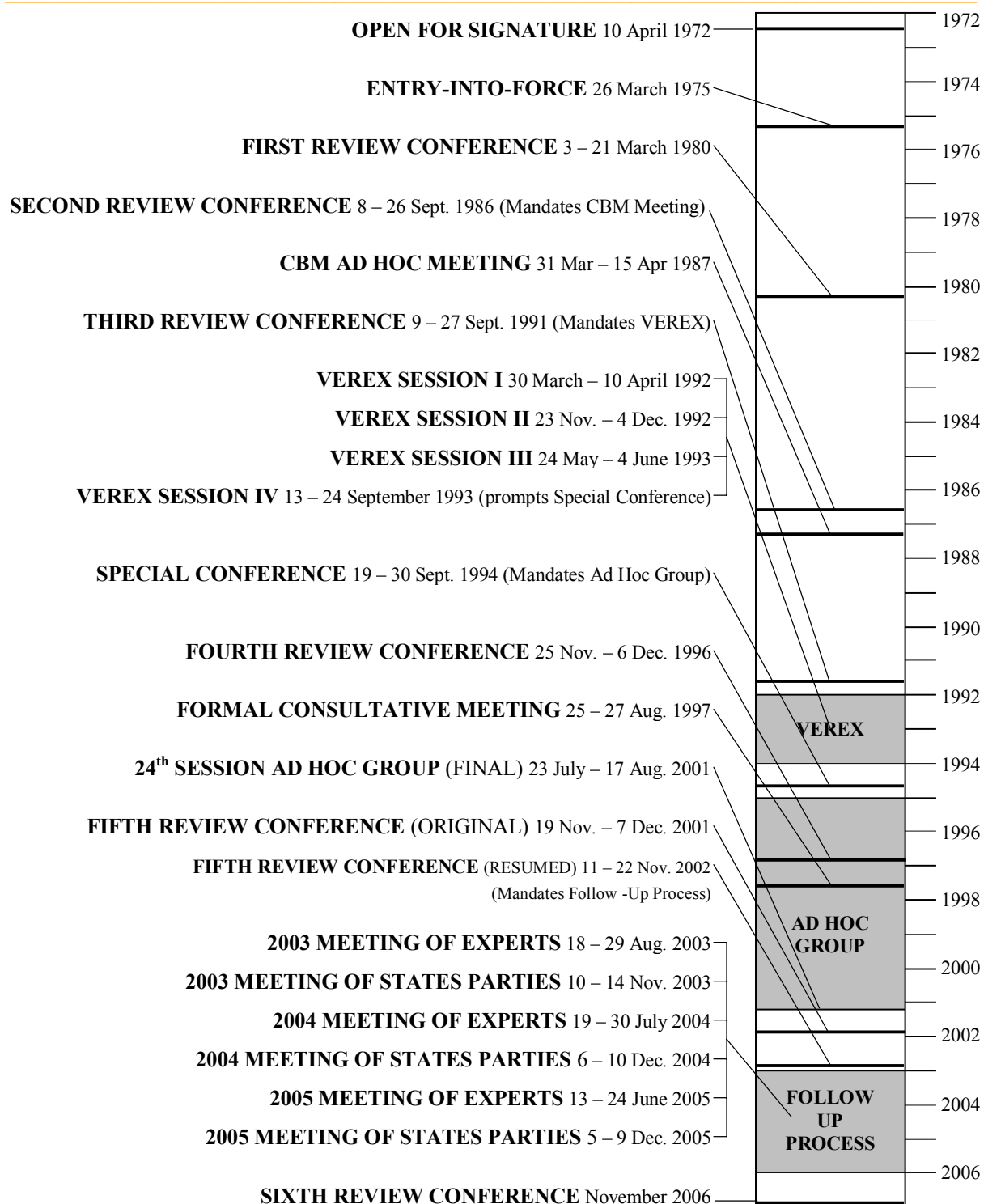
conduct should be involved in their development, promulgation and adoption.

States Parties agreed on the importance of codes being: compatible with national legislation and regulatory controls and contributing to national implementation measures; simple, clear and easily understandable both to scientists and to wider civil society; relevant, helpful and effective for guiding relevant actors in making decisions and taking action in accordance with the purposes and objectives of the Convention; sufficiently broad in scope; and regularly reviewed, evaluated for effectiveness, and revised as necessary.

The work of these annual meetings will be reviewed by the Sixth Review Conference, which will decide on any further action.

November 2006, Geneva, Switzerland

CHRONOLOGY OF EVENTS RELATING TO THE BWC



3

BWC Sixth Review Conference

November 2006, Geneva, Switzerland

FINAL DOCUMENT OF THE FIFTH REVIEW CONFERENCE

(Extract From BWC/CONF.V/17)

“18. At its eighth plenary meeting on 14 November 2002, the Conference decided, by consensus, as follows:

(a) To hold three annual meetings of the States Parties of one week duration each year commencing in 2003 until the Sixth Review Conference, to be held not later than the end of 2006, to discuss, and promote common understanding and effective action on:

- i. the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation;
- ii. national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins;
- iii. enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;
- iv. strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;
- v. the content, promulgation, and adoption of codes of conduct for scientists.

(b) All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.

(c) Each meeting of the States Parties will be prepared by a two week meeting of experts. The topics for consideration at each annual meeting of States Parties will be as follows: items i and ii will be considered in 2003; items iii and iv in 2004; item v in 2005. The first meeting will be chaired by a representative of the Eastern Group, the second by a representative of the Group of Non-Aligned and Other States, and the third by a representative of the Western Group.

(d) The meetings of experts will prepare factual reports describing their work.

(e) The Sixth Review Conference will consider the work of these meetings and decide on any further action.

19. At the same meeting, the Conference approved the nomination by the Eastern Group of Ambassador Tibor Tóth of Hungary as Chairman of the 2003 meetings. At the ninth plenary meeting the Conference approved the cost estimates for the meetings to be held in 2003, 2004 and 2005, as contained in document BWC/CONF.V/14. The Conference requested the Depositaries of the Convention to consult with a view to establishing suitable dates for the 2003 meetings, and to notify States Parties accordingly.

At the eighth plenary meeting, the Conference decided that the Sixth Review Conference would be held in Geneva in 2006, and would be preceded by a Preparatory Committee.”

THE FOLLOW-UP PROCESS 2003 - 2005

YEAR	TOPICS	CHAIRMAN	REPORT
2003	<ul style="list-style-type: none"> - The adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation; - National mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins; 	Amb. Tibor Toth (Hungary)	BWC/MSP/2003/4
2004	<ul style="list-style-type: none"> - Enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease; - Strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants; 	Mr. Peter Goosen (South Africa)	BWC/MSP/2004/3
2005	<ul style="list-style-type: none"> - The content, promulgation, and adoption of codes of conduct for scientists. 	Amb. John Freeman (United Kingdom)	BWC/MSP/2005/3

2003 Meeting of States Parties

(Extract from BWC/MSP/2003/4)

At the Meeting of States Parties, States Parties noted that notwithstanding the differing legal and constitutional arrangements among the 151 States Parties to the Convention, States have adopted similar basic approaches and share common principles. The States Parties stressed the need for undertaking activities at the national level in keeping with their obligations and responsibilities to strengthen and implement the Convention. The States Parties agreed, to that end, on the value of the following:

To review, and where necessary, enact or update national legal, including regulatory and penal, measures which ensure effective implementation of the prohibition of the Convention, and which enhance effective security of pathogens and toxins.

The positive effect of cooperation between States Parties with differing legal and constitutional arrangements. States Parties in a position to do so

may wish to provide legal and technical assistance to others who request it in framing and/or expanding their own legislation and controls in the areas of national implementation and biosecurity.

The need for comprehensive and concrete national measures to secure pathogen collections and the control of their use for peaceful purposes. There was a general recognition of the value of biosecurity measures and procedures, which will ensure that such dangerous materials are not accessible to persons who might or could misuse them for purposes contrary to the Convention.

States Parties considered that agreement on the value of these measures discussed at the Meeting constitutes an essential effort to facilitate more effective implementation and enforcement of the Convention, as well as providing a basis for review of progress at the 2006 Review Conference.

2004 Meeting of States Parties

(Extract from BWC/MSP/2004/3)

18. On the mandate to discuss, and promote common understanding and effective action on strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants, the States Parties recognised that:

- a) infectious disease outbreaks can be contained and suppressed through early-detection, immediate response and co-operation and support at the national and international level;
- b) strengthening and broadening national and international surveillance, detection, diagnosis and combating of infectious disease may support the object and purpose of the Convention;
- c) the primary responsibility for surveillance, detection, diagnosis and combating of infectious diseases rests with States Parties, while the WHO, FAO and OIE have global responsibilities, within their mandates, in this regard. The respective structures, planning and activities of States Parties and the WHO, FAO and OIE should be co-ordinated with and complement one another;
- d) scientific and technological developments have the potential to significantly improve disease surveillance and response.

19. The States Parties consequently agreed on the value of:

- a) supporting the existing networks of relevant international organisations for the surveillance, detection, diagnosis and combating of infectious diseases and acting to strengthen the WHO, FAO and OIE programmes, within their mandates, for the continued development and strengthening of, and research into, rapid, effective and reliable activities for the surveillance, detection, diagnosis and combating of infectious diseases, including in cases of emergencies of international concern;
- b) improving, wherever possible, national and regional disease surveillance capabilities, and, if in a position to do so, assisting and encouraging, with the necessary agreement, other States Parties to do the same;
- c) working to improve communication on disease surveillance, including with the WHO, FAO and OIE, and among States Parties.

20. On the mandate to discuss, and promote common understanding and effective action on enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, the States Parties recognised that:

- a) capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease promote the object and purpose of the Convention;
- b) States Parties' national preparedness and arrangements substantially contribute to international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;
- c) the Secretary-General's investigation mechanism, set out in A/44/561 and endorsed by the General Assembly in its resolution A/Res/45/57, represents an international institutional mechanism for investigating cases of alleged use of biological or toxin weapons.

21. The States Parties consequently agreed on the value of:

- a) continuing to develop their own national capacities for response, investigation and mitigation, in cooperation with the relevant international and regional organisations, and, if in a position to do so, assisting and encouraging, with the necessary agreement, other States Parties to do the same;
- b) the Sixth Review Conference considering, *inter alia*, the further development of current procedures for the provision of assistance, by those in a position to do so, to States Parties in cases of alleged use of biological weapons or suspicious outbreaks of disease.

22. The States Parties further considered that in pursuing the above understandings and actions, States Parties could, according to their respective circumstances, consider the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts, as contained in the Annex II of the Report of the Meeting of Experts (BWC/MSP/2004/MX/3), as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2004/L.1, which are attached to this report as Annexes II and III. These annexes were not discussed or agreed upon and consequently have no status.

23. States Parties are encouraged to inform the Sixth Review Conference of, *inter alia*, any actions, measures or other steps that they may have taken on the basis of the discussions at the 2004 Meeting of Experts and of the outcome of the 2004 Meeting of States Parties in order to facilitate the Sixth Review Conference's consideration of the work undertaken at the meetings in 2004 and of a decision on any further action in accordance with paragraph 18 (e) of the decision adopted at the Fifth Review Conference (BWC/CONF.V/17).

2005 Meeting of States Parties

(Extract from BWC/MSP/2005/3)

18. On the mandate to discuss, and promote common understanding and effective action on the content, promulgation and adoption of codes of conduct for scientists, the States Parties recognised that:

- (a) while the primary responsibility for implementing the Convention rests with States Parties, codes of conduct, voluntarily adopted, for scientists in the fields relevant to the Convention can support the object and purpose of the Convention by making a significant and effective contribution, in conjunction with other measures including national legislation, to combating the present and future threats posed by biological and toxin weapons, as well as by raising awareness of the Convention, and by helping relevant actors to fulfil their legal, regulatory and professional obligations and ethical principles;
- (b) codes of conduct should reflect the provisions of the Convention and contribute to national implementation measures;
- (c) a range of different approaches exist to develop codes of conduct in view of differences in national requirements and circumstances;
- (d) codes of conduct should avoid impeding scientific discovery, placing undue constraints on research or international cooperation and exchange for peaceful purposes;
- (e) science should be used for peaceful purposes only but has the potential to be misused in ways that are prohibited by the Convention, and therefore codes of conduct should require and enable relevant actors to have a clear understanding of the content, purpose and reasonably foreseeable consequences of their activities, and of the need to abide by the obligations contained in the Convention.

19. The States Parties recognised that all those with a responsibility for, or legitimate interest in, codes of conduct should be involved in their development, promulgation and adoption. The States Parties agreed on the value of codes of conduct applying not just to scientists, but to all those involved in scientific activity, including managers and technical and ancillary staff.

20. On the content of codes of conduct, recognising the principles listed in paragraph 18, the States Parties agreed on the importance of codes of conduct being:

- (a) compatible with national legislation and regulatory controls and contributing to national implementation measures;
- (b) simple, clear and easily understandable both to scientists and to wider civil society;
- (c) relevant, helpful and effective for guiding relevant actors in making decisions and taking action in accordance with the purposes and objectives of the Convention;
- (d) sufficiently broad in scope;
- (e) regularly reviewed, evaluated for effectiveness, and revised as necessary.

21. On the adoption of codes of conduct, recognising that it is important to build on and coordinate with existing efforts, and avoid imposing burdensome and duplicative measures, the States Parties agreed on the value of:

- (a) demonstrating the benefits of codes and encouraging relevant actors to develop codes themselves;
- (b) using existing codes, mechanisms, frameworks and bodies as far as possible; and
- (c) tailoring adoption strategies according to the needs of each relevant sector.

22. On the promulgation of codes of conduct, recognising that codes of conduct will be most effective if they, and the principles underlying them, are widely known and understood, the States Parties agreed on the value of continuous efforts on promulgation through appropriate channels.

23. The States Parties further considered that in pursuing the above understandings and actions, States Parties could, according to their respective circumstances, consider the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topic under discussion at the Meeting of Experts, as contained in Annex I of the Report of the Meeting of Experts (BWC/MSP/2005/MX/3), as well as the synthesis of these considerations, lessons,

perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2005/L.1, which is attached to this report as Annex I. This annex was not discussed or agreed upon and consequently has no status.

24. States Parties are encouraged to inform the Sixth Review Conference of, *inter alia*, any actions, measures or other steps that they may have taken on

the basis of the discussions at the 2005 Meeting of Experts and of the outcome of the 2005 Meeting of States Parties in order to facilitate the Sixth Review Conference's consideration of the work undertaken at the meetings in 2005 and of a decision on any further action in accordance with paragraph 18 (e) of the decision adopted at the Fifth Review Conference (BWC/CONF.V/17).

November 2006, Geneva, Switzerland

STATES PARTIES AND SIGNATORIES TO THE BWC

STATES PARTIES					
1. Afghanistan	46. Estonia	91. Morocco	136. Tajikistan		
2. Albania	47. Ethiopia	92. Netherlands	137. Thailand		
3. Algeria	48. Fiji	93. New Zealand	138. The Former Yugoslav Republic of Macedonia		
4. Antigua and Barbuda	49. Finland	94. Nicaragua			
5. Argentina	50. France	95. Niger	139. Timor Leste (East Timor)		
6. Armenia	51. Gambia	96. Nigeria	140. Togo		
7. Australia	52. Georgia	97. Norway	141. Tonga		
8. Austria	53. Germany	98. Oman	142. Tunisia		
9. Azerbaijan	54. Ghana	99. Palau	143. Turkey		
10. Bahamas	55. Greece	100. Pakistan	144. Turkmenistan		
11. Bahrain	56. Grenada	101. Panama	145. Uganda		
12. Bangladesh	57. Guatemala	102. Papua New Guinea	146. Ukraine		
13. Barbados	58. Guinea-Bissau	103. Paraguay	147. United Kingdom of Great Britain and Northern Ireland		
14. Belarus	59. Holy See	104. Peru	148. United States of America		
15. Belgium	60. Honduras	105. Philippines	149. Uruguay		
16. Belize	61. Hungary	106. Poland	150. Uzbekistan		
17. Benin	62. Iceland	107. Portugal	151. Vanuatu		
18. Bhutan	63. India	108. Qatar	152. Venezuela		
19. Bolivia	64. Indonesia	109. Republic of Korea	153. Viet Nam		
20. Bosnia-Herzegovina	65. Iran (Islamic Republic of)	110. Republic of Moldova	154. Yemen		
21. Botswana	66. Iraq	111. Romania	155. Zimbabwe		
22. Brazil	67. Ireland	112. Russian Federation			
23. Brunei Darussalam	68. Italy	113. Rwanda			
24. Bulgaria	69. Jamaica	114. Saint Kitts and Nevis			
25. Burkina Faso	70. Japan	115. Saint Lucia			
26. Cambodia	71. Jordan	116. Saint Vincent and the Grenadines			
27. Canada	72. Kenya	117. San Marino			
28. Cape Verde	73. Kuwait	118. Sao Tome and Principe			
29. Chile	74. Kyrgyzstan	119. Saudi Arabia			
30. China	75. Lao People's Democratic Republic	120. Senegal			
31. Colombia	76. Latvia	121. Serbia and Montenegro			
32. Congo	77. Lebanon	122. Seychelles			
33. Costa Rica	78. Lesotho	123. Sierra Leone			
34. Croatia	79. Libyan Arab Jamahiriya	124. Singapore			
35. Cuba	80. Liechtenstein	125. Slovakia			
36. Cyprus	81. Lithuania	126. Slovenia			
37. Czech Republic	82. Luxembourg	127. Solomon Islands			
38. Democratic People's Republic of Korea	83. Malaysia	128. South Africa			
39. Democratic Republic of the Congo	84. Maldives	129. Spain			
40. Denmark	85. Mali	130. Sri Lanka			
41. Dominica	86. Malta	131. Sudan			
42. Dominican Republic	87. Mauritius	132. Suriname			
43. Ecuador	88. Mexico	133. Swaziland			
44. El Salvador	89. Monaco	134. Sweden			
45. Equatorial Guinea	90. Mongolia	135. Switzerland			

SIGNATORIES

1. Burundi
2. Central African Republic
3. Côte d'Ivoire
4. Egypt
5. Gabon
6. Guyana
7. Haiti
8. Liberia
9. Madagascar
10. Malawi
11. Myanmar
12. Nepal
13. Somalia
14. Syrian Arab Republic
15. United Arab Emirates
16. United Republic of Tanzania

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BWC Sixth Review Conference

November 2006, Geneva, Switzerland

TEXT OF THE BIOLOGICAL WEAPONS CONVENTION

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

*Signed at London, Moscow and Washington on 10 April 1972.
Entered into force on 26 March 1975.
Depositaries: UK, US and Soviet governments.*

The States Parties to this Convention,

Determined to act with a view to achieving effective progress towards general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction, and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control,

Recognizing the important significance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925, and conscious also of the contribution which the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Reaffirming their adherence to the principles and objectives of that Protocol and calling upon all States to comply strictly with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Geneva Protocol of June 17, 1925,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Desiring also to contribute to the realization of the purposes and principles of the United Nations,

Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for the prohibition of the development, production and stockpiling of chemical weapons, and determined to continue negotiations to that end,

Determined for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Have agreed as follows:

Article I

Each State Party to this Convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain:

(1) Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(2) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

Article II

Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after entry into force of the Convention, all agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

Article III

Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in article I of this Convention.

Article IV

Each State Party to this Convention shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, within the territory of such State, under its jurisdiction or under its control anywhere.

Article V

The States Parties to this Convention undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. Consultation and Cooperation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

Article VI

(1) Any State Party to this convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.

(2) Each State Party to this Convention undertakes to cooperate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

Article VII

Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

Article VIII

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925.

Article IX

Each State Party to this Convention affirms the recognized objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

Article X

(1) The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also cooperate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for prevention of disease, or for other peaceful purposes.

(2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

Article XI

Any State Party may propose amendments to this Convention. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

Article XII

Five years after the entry into force of this Convention, or earlier if it is requested by a majority of Parties to the Convention by submitting a proposal to this effect to the Depositary Governments, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being realized. Such review shall take into account any new scientific and technological developments relevant to the Convention.

Article XIII

(1) This Convention shall be of unlimited duration.

(2) Each State Party to this Convention shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject matter of the Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article XIV

(1) This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph (3) of this Article may accede to it at any time.

(2) This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

(3) This Convention shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositaries of the Convention.

(4) For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

(5) The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit or each instrument of ratification or of accession and the date of entry into force of this Convention, and of the receipt of other notices.

(6) This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XV

This Convention, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of the Convention shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding states.

FOR FURTHER INFORMATION

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WEB RESOURCES

BIOLOGICAL WEAPONS CONVENTION MEETINGS SECRETARIAT, DEPARTMENT FOR DISARMAMENT AFFAIRS (GENEVA)

<http://www.unog.ch/bwc/>

Information about the Convention and its meetings, background information on biological weapons and related activities, as well as sections for states, non-governmental organizations and the press and media.

DEPARTMENT FOR DISARMAMENT AFFAIRS (NEW YORK)

<http://disarmament2.un.org/wmd/bwc/index.html>

Copies of major BWC documents, General Assembly resolutions, statements and press releases; some background information

UNITED NATIONS OFFICIAL DOCUMENT SYSTEM (ODS)

<http://documents.un.org>

All BWC official documents since 2003; can search by symbol, date, title, content, etc

UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH (UNIDIR)

http://www.unidir.org/html/en/global_security.html

A range of publications, reports, research papers and other material on biological weapons and related issues.